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particular individuals. As was said in an early case,—“The object of a trade mark being to indicate by its meaning or association the origin or ownership of the article, it would seem that when a right to its use is transferred to others either by act of the original parties or by operation of law, the fact of a transfer should be stated in connection with its use, otherwise a deception would be practiced upon the public and the very fraud accomplished to prevent which courts of equity interfere to protect the manufacturer.” *Manhattan Medicine Company v. Wood*, 108 U. S. 218, 27 L. ed. 706. Of course the misrepresentation of the plaintiff must have been a material one, or it will be disregarded, *Wormser v. Shayne*, 111 Ill. App. 556. But most courts (following the U. S. courts) hold almost any misrepresentation as to personality of maker, place of manufacture, ingredients of product, etc., to be material. The Massachusetts court has in one case at least applied a less strict, and perhaps a more equitable test,—*Nelson v. Winchell Co.*, 203 Mass. 75.

HUSBAND AND WIFE—ESTATE BY ENTIRETY—CONVEYANCE OF HUSBAND'S INTEREST.—Where lands were deeded to defendant and her husband, and the husband conveyed all his right, title and interest in the lands to the complainant, who sought to partition the lands, *held*, that the complainant and defendant held the estate as tenants in common during the joint lives of defendant and her husband, with remainder to the survivor, and that this tenancy in common could be partitioned. *Schultz v. Ziegler* (N. J. 1912) 83 Atl. 968.

The effect of the married women's act in New Jersey on an estate by entirety is to preserve its common law incident of survivorship, the husband and wife holding the rents and profits as tenants in common during their joint lives, each one having power to dispose or charge his or her moiety during the same period. *Builer v. Rosenthal*, 42 N. J. Eq. 651, 9 Atl. 695, 59 Am. Rep. 52. At the common law upon marriage the husband became entitled to the rents and profits of the wife's lands. 2 KENT, COMM., Ed. 10, 130; *Barber v. Harris*, 15 Wend. 615; *Fairchild v. Chastelleaux*, 1 Pa. St. 176. In several States an interpretation similar to that in the principal case has been followed. *Hiles v. Fisher*, 144 N. Y. 306, 39 N. E. 337; *Howell v. Folsom*, 38 Ore. 184, 63 Pac. 116; *Branch v. Polk*, 61 Ark. 388, 33 S. W. 424, 30 L. R. A. 324. In other States the rule followed is, that the husband and wife hold the rents and profits by entirety, following the nature of the fee, and neither spouse during coverture may dispose of any interest in the lands without the assent of the other. *McCurdy v. Canning*, 64 Pa. St. 39; *Patton v. Rankin*, 68 Ind. 245; *Naylor v. Minoock*, 96 Mich. 182, 55 N. W. 664, 35 Am. St. Rep. 595. It would seem that the rule in the principal case best subserves the purpose sought to be attained by the enactment of these married women's acts, namely, giving the wife control of her property during coverture, and the power to dispose of it without interference on the part of the husband.

JUDGMENT—EFFECT OF THE TRANSCRIPT OF A JUSTICE'S JUDGMENT FILED IN THE DISTRICT COURT.—In an action to recover possession of real estate ac-